

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)	
)	
or Suspension of the Educator)	ORDER OF SUSPENSION
)	(BREACH OF CONTRACT)
Certificate of Rita A. Morrell)	
)	
Certificate # 184004)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on November 12, 2003. On September 29, 2003, the State Department of Education (Department) sent Ms. Rita A. Morrell a notice of her right to a due process hearing regarding the possible suspension of her South Carolina educator certificate (certificate) by certified mail, return receipt requested, delivery restricted to addressee. Ms. Morrell received the notice, as evidenced by the postal receipt bearing her signature. Ms. Morrell did not request a hearing during the period allowed by law, and is now in default. After considering the evidence presented by the Department, which was undisputed by Ms. Morrell, the State Board voted to suspend Ms. Morrell's certificate for one year.

Ms. Morrell holds a valid certificate, with over six years of teaching experience. During the 2002-2003 school year she was a teacher at Hughes Academy in the Greenville County School District (District). She signed a contract with the District for the 2003-2004 school year. On the first day of school in August 2003 Ms. Morrell contacted her principal to inform her that she would not be returning. On August 19, 2003, Ms. Morrell notified the Superintendent that she would not be returning to the District due to personal reasons. On August 29, 2003, the Superintendent wrote Ms. Morrell to remind her that her resignation did not comply with District policy and that he would recommend to the Board that a complaint should be filed with the State Board.

On September 9, 2003, the District Board voted to file a breach of contract complaint against Ms. Morrell with the State Board.

CONCLUSIONS OF LAW

The State Board may suspend the certificate of any person for breach of contract. S.C. Code Ann. § 59-25-530 (1990). Unprofessional conduct includes breach of contract. S.C. Code Ann. § 59-25-160 (1990); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that there is conclusive evidence supporting its decision to suspend Ms. Morrell's certificate # 184004 for a period of one year from November 12, 2003, through November 11, 2004, on the ground of unprofessional conduct due to breach of contract. At the end of the suspension period if she wants her certificate reinstated, Ms. Morrell may make a written request for reinstatement to the Office of Teacher Education and Certification of the Department.

South Carolina State Board of Education

By: /S/ Greg Killian

Greg Killian

Chair

Columbia, South Carolina
November 12, 2003